

SUBCHAPTER B : LEAD FROM STATIONARY SOURCES

NONFERROUS SMELTERS IN EL PASO COUNTY

§§113.31-113.37

Effective July 16, 1997

§113.31. Maintenance and Operation of Control Equipment.

The owner or operator of any nonferrous smelter located in El Paso County shall maintain and operate all equipment used for the purpose of preventing emissions of particulate matter to the atmosphere in accordance with the best practices in routine use in the field of air pollution control and shall compile written logs documenting all maintenance and repair activities undertaken with respect to such equipment. The entries made in the maintenance and repair logs shall be retained for a period of at least three years and, upon request, shall be made available for inspection during normal working hours by employees of the commission or local air pollution control agencies.

Adopted June 25, 1997

Effective July 16, 1997

§113.32. Areas Accessible to the General Public.

The owner or operator of any nonferrous smelter located in El Paso County shall prohibit access by the general public to the property on which the smelter is located, any contiguous property owned by or under the control of the owner or operator of the smelter, and any such property that would be contiguous but for intervening roads.

Adopted June 25, 1997

Effective July 16, 1997

§113.33. Control of Fugitive Dust.

(a) The owner or operator of any nonferrous smelter located in El Paso County shall comply with the following requirements.

(1) Roads.

(A) All plant roadways shall be paved unless the executive director has approved a plan to minimize fugitive emissions from roads and that plan specifies which roads are to be paved and which are to be treated in some other manner;

(B) All paved plant roadways shall be cleaned with such equipment and in a manner that will minimize visible emissions resulting from the use and from the cleaning of such roadways; and

(C) Written logs documenting the frequency of all sealing, spraying, cleaning, and other programs for the minimization of roadway emissions shall be maintained. The logs shall be retained for a period of at least three years and shall be made available for inspection during normal working hours by employees of the commission or local air pollution control agencies.

(2) Outdoor bulk material storage areas.

(A) Water spraying in combination with chemical sealing shall be used to minimize visible emissions resulting from the outdoor storage of bulk materials containing more than 1.0% lead by weight;

(B) When materials are added to or removed from a chemically sealed outdoor pile of bulk materials, thereby resulting in the breaking of the pile's chemical seal, the pile shall be resealed within 24 hours after such activity;

(C) Written logs shall be maintained and updated daily to document the actions carried out to comply with the requirements of this paragraph, and the logs shall be retained for a period of at least three years and shall be made available for inspection during normal working hours by employees of the commission or local air pollution control agencies; and

(D) Approval for the procedures used to comply with the requirements of this paragraph shall be obtained in advance from the executive director.

(3) Open unpaved areas.

(A) The owner or operator of any nonferrous smelter in El Paso County shall develop and implement a control program that utilizes chemical sealing, water sprays, or other effective methods to minimize visible emissions of fugitive dust from all open unpaved areas on the smelter site except outdoor bulk material storage areas covered by the provisions of subsection (a)(2) of this section, slag dump area(s), and areas with surface slope greater than 45 degrees;

(B) The owner or operator shall obtain the executive director's approval of the control program plan before it is implemented;

(C) The executive director shall approve the plan if he determines that the applicant has submitted sufficient information to demonstrate that implementation of the plan will minimize fugitive emissions of lead from the affected areas of the smelter site; and

(D) The owner or operator shall carry out the plan as approved and shall maintain logs adequate to demonstrate that it is being carried out. He shall keep the logs at least three years and shall make them available for inspection during normal working hours by employees of the commission or local air pollution control agencies.

(b) The executive director shall approve an exemption from one or more requirements of subsection (a) of this section if he determines that the owner or operator has provided sufficient information to demonstrate that:

(1) compliance with the requirements is technically impracticable or economically unreasonable,

(2) controls that are technically practicable and economically reasonable are implemented to minimize emissions, and

(3) the emissions allowed by the exemption(s) will not prevent attainment or maintenance of the national ambient air quality standards for lead or cause or contribute to a condition of air pollution.

Adopted June 25, 1997

Effective July 16, 1997

§113.34. Materials Handling and Transfer.

The owner or operator of any nonferrous smelter located in El Paso County shall comply with the following requirements:

(1) All lead sinter shall be transferred from storage bins to charge cars in an enclosed structure that is vented to the atmosphere only through air pollution control equipment. After such transfer, the contents of the charge cars shall be wet down sufficiently to minimize visible emissions during subsequent transport and charging into a lead blast furnace;

(2) All particulate matter containing more than 1.0% lead by weight collected by air pollution control equipment shall be transported in closed containers or shall be transported by enclosed conveying systems that are vented to the atmosphere only through particulate matter control equipment or shall be slurried with water and transported wet;

(3) There shall be no visible particulate emissions from the transport of collected particulate matter containing more than 1.0% lead by weight;

(4) All collected particulate matter from lead sinter machine electrostatic precipitators, lead sinter machine ventilation baghouses, lead blast furnace baghouses, copper roaster electrostatic precipitators, copper reverberatory furnace electrostatic precipitators, copper converter electrostatic precipitators, copper converter building ventilation baghouses, and zinc deleading baghouses shall be agglomerated by moisturizing with water, returned by enclosed conveyance to plant smelting processes, or equipped with an equivalent control system approved by the executive director;

(5) All moisturizing of collected particulate matter required by paragraph (4) of this section shall meet the following requirements:

(A) Moisturizing of collected particulate matter from lead sinter machine electrostatic precipitators, lead sinter machine ventilation baghouses, and lead blast furnace baghouses shall occur in an enclosed structure that is under negative pressure,

(B) Moisturizing of collected particulate matter from other sources identified in paragraph (4) of this section shall be controlled by local exhaust hoods approved by the executive director, and

(C) All emissions resulting from the controls required by subparagraphs (A) and (B) of this paragraph shall be vented to the atmosphere only through particulate matter control equipment;

(6) Collected particulate matter that contains more than 1.0% lead by weight and that has been agglomerated by moisturizing shall be handled in an enclosed structure that is under negative pressure and is vented to the atmosphere only through particulate matter control equipment; and

(7) The lead concentration in the gas streams exhausted to the atmosphere through control equipment required by paragraphs (1), (2), (5), and (6) of this section shall not exceed 0.005 grain per dry standard cubic foot, unless the control equipment consists of a baghouse fabricated prior to March 31, 1984. If the control equipment consists of a baghouse fabricated prior to March 31, 1984, the lead concentration in the gas stream exhausted to the atmosphere shall not exceed 0.010 grain per dry standard cubic foot.

Adopted June 25, 1997

Effective July 16, 1997

§113.35. Smelting of Lead.

The owner or operator of any lead smelter located in El Paso County shall comply with the following requirements.

(1) Each blast furnace shall be equipped with an automatic system to control tuyere air flow;

(2) Each lead blast furnace shall be equipped with a ventilation system approved by the executive director to minimize visible emissions from the tapping of lead and slag;

(3) Each lead dross reverberatory furnace shall be equipped with a ventilation system approved by the executive director to minimize visible emissions from the charging and tapping of the furnace;

(4) Each receiving lead kettle and final dross lead kettle shall be equipped with a ventilation system approved by the executive director to minimize visible emissions;

(5) Ventilation systems required by paragraphs (2) - (4) of this section shall be vented to the atmosphere only through particulate matter control equipment;

(6) The lead concentration in the gas streams exhausted to the atmosphere through control equipment required by paragraph (5) of this section shall not exceed 0.005 grain per dry standard cubic foot for new control equipment or 0.01 grain per dry standard cubic foot for existing control equipment; and

(7) Once the control equipment required by paragraphs (1) - (4) of this section is installed and operating:

(A) the control equipment shall be maintained and operated so as to minimize visible emissions from the process and equipment subject to such control;

(B) measurements, such as capture velocity, duct velocity, or static pressure, that demonstrate the effectiveness of the control equipment in controlling visible emissions and that are approved

by the executive director shall be made at least quarterly or on a schedule approved by the executive director; and

(C) written logs describing all maintenance and measurements performed on the control equipment and recording the dynamite consumption for each lead blast furnace shall be compiled and the logs shall be maintained for a period of at least three years and shall be made available for inspection during normal working hours to employees of the commission or local air pollution control agencies.

Adopted June 25, 1997

Effective July 16, 1997

§113.36. Smelting of Copper and Zinc.

The owner or operator of any copper or zinc smelter located in El Paso County shall comply with the following requirements:

(1) Secondary hoods of design approved by the executive director shall be installed on each copper converter;

(2) The emissions captured by the secondary hoods required by paragraph (1) of this section shall be exhausted through a duct system that is under negative pressure and through a system or device for the control of particulate matter; and

(3) The lead concentration in the gas leaving the system or device required by paragraph (2) of this section shall not exceed 0.001 grain per dry standard cubic foot if the system or device controls only the emissions from the secondary hoods. If the system or device also controls lead emissions from other sources, the system or device shall be at least 95% efficient in reducing lead emissions. The owner or operator shall submit a control plan including a method for verifying that the required performance is achieved. The control plan shall be subject to the executive director's approval. The vent gas from the system or device required by paragraph (2) of this section shall be vented to the atmosphere no less than 230 feet above grade.

Adopted June 25, 1997

Effective July 16, 1997

§113.37. Lead Emissions Limits for Stacks.

No person may cause, suffer, or allow emissions in excess of any limit specified in the following table.

LEAD EMISSION LIMITS FOR CERTAIN VENT GAS STREAMS AT
NONFERROUS SMELTING OPERATIONS EXISTING IN EL PASO COUNTY
AS OF SEPTEMBER 9, 1983

<u>Vent Gas From</u>	Lead <u>Emission Limits, lb/hr</u>
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Lead and Copper Ore Conveying Baghouse	0.2
Lead Ore Unloading Building Baghouse	0.5
Lead and Copper Ore Bedding Building Baghouses (Total)	1.0
Lead Sinter Plant Material Handling Baghouse	12.8
Lead Blast Furnace Baghouse Stacks (Total)	2.2
Copper Ore Unloading Building Baghouse	0.5
Copper Reverberatory Furnace Electrostatic Precipitator	1.5
Copper Converter Building Ventilation Baghouse	
- If Used Only To Control Building Ventilation Air	1.0
- If Used To Control Emissions From Copper Converter Secondary	
Hoods in Addition to Building Ventilation Air	1.4
Zinc Fuming Furnace and Deleading Kilns Baghouse	4.3
Cadmium Plant Baghouse	0.4

Adopted June 25, 1997

Effective July 16, 1997

LEAD SMELTERS IN DALLAS COUNTY
§§113.41-113.48
Effective July 16, 1997

§113.41. Maintenance and Operation of Control Equipment.

The owner or operator of any lead smelter in Dallas County shall maintain and operate all equipment used for the purpose of preventing emissions of particulate matter to the atmosphere in accordance with the best practices in routine use in the field of air pollution control and shall compile written logs documenting all maintenance and repair activities undertaken with respect to such equipment. The entries made in the maintenance and repair logs shall be retained for a period of at least three years and, upon request, shall be made available for inspection during normal working hours by employees of the commission or local air pollution control agencies.

Adopted June 25, 1997

Effective July 16, 1997

§113.42. Storage of Lead-Containing Materials.

(a) No person may cause, suffer, or allow unenclosed storage at any lead smelter in Dallas County of material containing more than 1.0% lead by weight.

(b) All particulate matter containing more than 1.0% lead by weight collected by air pollution control equipment at any lead smelter in Dallas County shall be stored in closed containers or in a structure under sufficient negative pressure to prevent emissions to the atmosphere.

(c) The following items are exempt from the requirement of subsection (a) of this section:

- (1) lead and lead alloy in ingot form,
- (2) fabricated lead and lead alloy materials,
- (3) lead shot,
- (4) lead bearing material in enclosed containers, and
- (5) whole, unbroken batteries.

Adopted June 25, 1997

Effective July 16, 1997

§113.43. Transport of Materials.

The owner or operator of any lead smelter in Dallas County shall comply with the following requirements.

(1) All transport vehicles carrying materials containing more than 1.0% lead by weight shall have their cargo compartments covered at all times when on plant property except when actually loading or

unloading such material, when being washed, or when located inside a plant building. Transport vehicles that carry only the materials listed in §113.42(c) of this title (relating to Storage of Lead-Containing Materials) are exempt from the requirements of this paragraph; and

(2) Each time a vehicle leaves a structure required by §113.44(1) of this title (relating to Fugitive Emissions from Lead Processes) or by §113.45(1) of this title (relating to Battery or Lead Reclaiming Operations), all material containing more than 1.0% lead by weight shall be removed from the wheels of the vehicle by a procedure approved by the executive director. If water is used in the procedure required by this paragraph, the cleaning may be suspended during freezing weather.

Adopted June 25, 1997

Effective July 16, 1997

§113.44. Fugitive Emissions from Lead Processes.

The owner or operator of any lead smelter in Dallas County shall comply with the following requirements.

(1) Each batch mixing operation, reverberatory furnace, blast furnace, refining kettle, and casting machine shall be contained in a structure that is under sufficient negative pressure to maintain airflow of at least 100 feet per minute into the structure at all openings and doorways at all times except:

(A) when all openings and doorways are closed with solid doors, solid shutters, or tarpaulins, or

(B) when all operations in the structure have been discontinued for a period of eight hours or longer;

(2) After approval of system specifications by the executive director, a recording airflow monitoring system and warning alarms shall be installed and operated at all times to monitor airflow into any structure required by paragraph (1) of this section;

(3) Approval shall be obtained from the executive director for the location and method of closure for all openings and doorways in any structure required by paragraph (1) of this section;

(4) All air exhausted to maintain airflow into any structure required by paragraph (1) of this section shall be vented through a system or device for the control of particulate matter;

(5) Except for the vent gas from any reverberatory furnace or blast furnace, the lead concentration in the gas leaving the system or device required by paragraph (4) of this section shall not exceed 0.001 grain per dry standard cubic foot; and

(6) There shall be no visible emissions other than condensed water vapor from any structure required by paragraph (1) of this section.

Adopted June 25, 1997

Effective July 16, 1997

§113.45. Battery or Lead Reclaiming Operations.

The owner or operator of any lead smelter in Dallas County shall comply with the following requirements:

- (1) Any battery wrecking or lead reclaiming operation shall be contained in a structure totally enclosed on the top and all sides except as provided in paragraph (2) of this section;
- (2) Emissions from openings and doorways in the building required by paragraph (1) of this section shall be minimized. Approval shall be obtained from the executive director for the location, size, and method of closure for all such openings and doorways;
- (3) A plan for an effective program to minimize emissions of particulate matter from floors and work areas in any structure required by paragraph (1) of this section shall be submitted to the executive director, and his approval shall be obtained by the final compliance date for this section; the approved plan shall be carried out as specified; and
- (4) The lead concentration in the vent gas stream vented to the atmosphere from any kiln used to process shredded battery material shall not exceed 0.005 grain per dry standard cubic foot.

Adopted June 25, 1997

Effective July 16, 1997

§113.46. Lead Emission Limits for Reverberatory Furnaces and Blast Furnaces.

No person may cause, suffer, or allow the lead concentration in the vent gas vented to the air from any lead reverberatory furnace or blast furnace in Dallas County to exceed 0.015 grain per dry standard cubic foot.

Adopted June 25, 1997

Effective July 16, 1997

§113.47. Control of Fugitive Dust.

The owner or operator of any lead smelter in Dallas County shall comply with the following requirements.

- (1) All plant roads shall be paved;
- (2) Parking areas and storage areas for materials containing more than 1% lead by weight shall be paved; and
- (3) All other open unpaved areas of the property at which the smelter is located shall have complete vegetational cover or shall be covered with rock or crushed aggregate at least three inches deep. The executive director shall establish an alternate requirement or alternate requirements for certain areas of a plant if he determines that the owner or operator has provided sufficient information to demonstrate that:

(A) it is technically impracticable or economically unreasonable to meet the requirement for complete vegetational or rock or aggregate cover,

(B) the alternate requirement(s) will achieve the maximum emission reduction that is technically practicable and economically reasonable, and

(C) the emissions allowed by the alternate requirement(s) will not prevent the attainment or maintenance of the national ambient air quality standards for lead or cause or contribute to a condition of air pollution.

Adopted June 25, 1997

Effective July 16, 1997

§113.48. Additional Measures to Reduce Lead Emissions.

The owner or operator of any lead smelter in Dallas County shall comply with the following requirements.

(1) If they occur outside buildings, spills of dust containing more than 1.0% lead by weight shall be dampened and cleaned up immediately.

(2) The floors of the work areas in any structures required by §113.44(1) of this title (relating to Fugitive Emissions from Lead Processes) or by §113.45(1) of this title (relating to Battery or Lead Reclaiming Operations) shall be cleaned at least once every week that the plant is in operation.

(3) Floors in the work areas regulated by §113.45(1) of this title shall be kept wet to minimize air emissions of materials containing lead.

(4) The motors of any blowers or fans needed to maintain the airflow required by §113.44(1) of this title:

(A) shall automatically restart following power interruptions of less than 20 seconds, and

(B) shall be on a circuit or circuits that are separate from those serving the rest of the plant so that problems with process equipment do not interrupt electrical service to air pollution control equipment.

(5) No visible emissions shall result from the use of roads except for visible emissions from the street cleaning equipment during the cleaning process.

Adopted June 25, 1997

Effective July 16, 1997

ALTERNATE CONTROLS
§§113.51-113.54
Effective July 16, 1997

§113.51. Alternate Means of Control in El Paso County.

Any person affected by any emission control requirement of the undesignated head concerning Nonferrous Smelters in El Paso County of this subchapter (relating to Lead from Stationary Sources) may request the executive director to approve an alternate means of control of the source affected by the specific control requirement. The executive director shall approve such alternate means of control if the applicant demonstrates that the alternate control will yield emission reductions for the same air contaminant that are at least equivalent to the emission reductions that would otherwise be required in terms of their quantity and their impact on air quality, including health and welfare effects.

Adopted June 25, 1997

Effective July 16, 1997

§113.52. Alternate Emission Reductions in El Paso County.

The executive director shall not approve, pursuant to §101.23 of this title (relating to Alternate Emission Reduction ("Bubble") Policy) controls in lieu of those required by the provisions of §§113.31-113.37 of this subchapter (relating to Nonferrous Smelters in El Paso County) if such proposed alternate controls were implemented prior to the effective date of §§113.31-113.37.

Adopted June 25, 1997

Effective July 16, 1997

§113.53. Alternate Means of Control in Dallas County.

Any person affected by any emission control requirement of the undesignated head concerning Lead Smelters in Dallas County of this subchapter (relating to Lead from Stationary Sources) may request the executive director to approve an alternate means of control of the source affected by the specific control requirement. The executive director shall approve such alternate means of control if the applicant demonstrates that the alternate control will yield emission reductions for the same air contaminant that are at least equivalent to the emission reductions that would otherwise be required in terms of their quantity and their impact on air quality including health and welfare effects.

Adopted June 25, 1997

Effective July 16, 1997

§113.54. Alternate Emission Reductions in Dallas County.

The executive director shall not approve, pursuant to §101.23 of this title (relating to Alternate Emission Reduction ("Bubble") Policy), controls in lieu of those required by the provisions of §§113.41-113.48 of this subchapter (relating to Lead Smelters in Dallas County) if such proposed alternate controls were implemented prior to the effective date of §§113.41-113.48 of this subchapter.

Adopted June 25, 1997

Effective July 16, 1997

COMPLIANCE AND CONTROL PLAN REQUIREMENTS

§§113.61-113.68

Effective July 16, 1997

§113.61. Compliance with Other Rules in El Paso County.

The rules in this subchapter (relating to lead from Stationary Sources) apply independently to affected persons in El Paso County. They do not supersede any other regulatory requirements. If more than one requirement applies, the stricter requirement must be met.

Adopted June 25, 1997

Effective July 16, 1997

§113.62. Dates for Control Plan Submission and for Final Compliance in El Paso County.

Any person affected by the requirements of this undesignated head relating to Nonferrous Smelters in El Paso County and whose facility was in existence on or before the effective date of this section should already be in compliance with the applicable sections or paragraphs. Any person affected by the requirements of the undesignated head relating to Nonferrous Smelters in El Paso County and whose facility was not in existence on or before the effective date of this section shall submit a control plan to the executive director and shall be in compliance with the applicable sections or paragraphs no later than the date specified by the executive director. All affected persons shall remain in continuous compliance with the applicable sections or paragraphs.

Adopted June 25, 1997

Effective July 16, 1997

§113.63. Control Plan Procedure in El Paso County.

A control plan for compliance with the requirements of this subchapter (relating to Lead from Stationary Sources) shall be submitted to the executive director detailing the compliance status of all emissions controls required by this subchapter and describing in detail the method to be followed to achieve and maintain compliance. The plan shall specify the exact dates by which specific steps will be taken to achieve compliance. The plan shall include all the following:

(1) The dates by which contracts for emission control systems or process modifications will be awarded, or dates by which orders will be issued for the purchase of component parts to accomplish emission control or process modification;

(2) The date of initiation of on-site construction or installation of emission control equipment or of process change;

(3) The date by which process modification or on-site construction or installation of emission control equipment is to be completed;

(4) The date by which final compliance is to be achieved.

Adopted June 25, 1997

Effective July 16, 1997

§113.64. Reporting Procedure in El Paso County.

After a control plan for compliance with the requirements of this subchapter (relating to Lead from Stationary Sources) has been submitted to the executive director, progress reports shall be submitted every 90 days for all control plans specified in §113.63 of this title (relating to Control Plan Procedure in El Paso County). The executive director shall also be notified of the completion of each separate step in the control plan within five days after completion. All reports and notifications shall be submitted in writing by the person submitting the compliance control plan.

Adopted June 25, 1997

Effective July 16, 1997

§113.65. Compliance with Other Rules in Dallas County.

The rules in this subchapter (relating to Lead from Stationary Sources) apply independently to affected persons in Dallas County. They do not supersede any other regulatory requirements. If more than one requirement applies, the stricter requirement shall be met.

Adopted June 25, 1997

Effective July 16, 1997

§113.66. Dates for Control Plan Submission and for Final Compliance in Dallas County.

Any person affected by the requirements of the undesignated head relating to Lead Smelters in Dallas County and whose facility was in existence on or before the effective date of this section should already be in compliance with the applicable sections or paragraphs. Any person affected by the requirements of the undesignated head relating to Lead Smelters in Dallas County and whose facility was not in existence on or before the effective date of this section shall submit a control plan to the executive director and shall be in compliance with the applicable sections or paragraphs no later than the date specified by the executive director. All affected persons shall remain in continuous compliance with the applicable sections or paragraphs.

Adopted June 25, 1997

Effective July 16, 1997

§113.67. Control Plan Procedure in Dallas County.

A control plan for compliance with the requirements of this subchapter (relating to Lead from Stationary Sources) shall be submitted to the executive director detailing the compliance status of all emission controls required by this subchapter and describing in detail the method to be followed to achieve and maintain compliance. The plan shall specify the exact dates by which specific steps will be taken to achieve compliance. The plan shall include all the following:

(1) The dates by which contracts for emission control systems or process modifications will be awarded, or dates by which orders will be issued for the purchase of component parts to accomplish emission control or process modification;

(2) The date of initiation of on-site construction or installation of emission control equipment or of process change;

(3) The date by which process modification or on-site construction or installation of emission control equipment is to be completed; and

(4) The date by which final compliance is to be achieved.

Adopted June 25, 1997

Effective July 16, 1997

§113.68. Reporting Procedure in Dallas County.

After a control plan for compliance with the requirements of this subchapter (relating to Lead from Stationary Sources) has been submitted to the executive director, progress reports shall be submitted every 90 days for all control plans specified in §113.67 of this title (relating to Control Plan Procedure in Dallas County). The executive director shall also be notified of the completion of each separate step in the control plan within five days after completion. All reports and notifications shall be submitted in writing by the person submitting the compliance control plan.

Adopted June 25, 1997

Effective July 16, 1997

Derivation Table
Rule Log No. 96161-113-AI
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Chapter 113 - Control of Air Pollution From Toxic Materials
Subchapter B : Lead From Stationary Sources

This table is to track sections after rule revisions. The column on the left lists the sections after the revision that is to be effective on July 15, 1997. The column on the right lists where the section was prior to the revision.

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